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*and Debtor-in-Possession*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In re:

OYSTER CREEK INN, INC.

Debtor.

OYSTER CREEK INN, INC.,

Plaintiff,

v.

RICHARD SIMON, TRUSTEE, JOHN  
DOE(s) and ABC CORP.,

Defendants.

Chapter 11

Case No. 13-22624 (GMB)

Adv. Pro. No. 13-01841 (GMB)

**ORDER DENYING DEFENDANT, RICHARD SIMON, TRUSTEE'S MOTION FOR  
SUMMARY JUDGMENT AND DENYING PLAINTIFF, OYSTER CREEK INN, INC.'S  
CROSS-MOTION FOR PARTIAL SUMMARY JUDGMENT**

The relief set forth on the following page(s) numbered 2 is hereby **ORDERED**.

**DATED: 2/13/2014**

  
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Gloria M. Burns, Chief Judge  
United States Bankruptcy Court Judge

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DEBTOR: Oyster Creek Inn, Inc.

CASE NO: 13-01841 (GMB)

CAPTION OF ORDER: Order Denying Defendant, Richard Simon Trustee's Motion for Summary Judgment and denying Plaintiff, Oyster Creek Inn, Inc.'s Cross-Motion for Partial Summary Judgment.

This matter came before the Court on the motion for summary judgment of Richard Simon, Trustee (the "Simon Motion") and the partial cross-motion for summary judgment of Oyster Creek Inn, Inc. (the "Debtor's Cross-Motion"); and it appearing that the Court has jurisdiction over this matter; and it appearing that service of the Simon Motion and the Debtor's Cross-Motion as set forth therein is sufficient under the circumstances, and that no other or further service need be provided; and it further appearing that the Court having rendered an oral decision on the Simon Motion and the Debtor's Cross-Motion on January 29, 2014, and for the reasons set forth on the record;

It is hereby ORDERED that

1. The Simon Motion is DENIED.
2. The Debtor's Cross-Motion is DENIED.